

UNITED STATES DISTRICT COURT

Dec 10, 2018

SEAN F. MCAVOY, CLERK

for

Eastern District of Washington

U.S.A. vs.

Armstead, Mark A.

Docket No.

2:18CR00115-TOR-3

Petition for Action on Conditions of Pretrial Release

COMES NOW Erik Carlson, PRETRIAL SERVICES OFFICER presenting an official report upon the conduct of defendant Mark A Armstead, who was placed under pretrial release supervision by the Honorable Senior U.S. District Judge Justin L. Quackenbush sitting in the court at Spokane, Washington, on the 30th day of July 2018 under the following conditions:

Standard Condition #1: Defendant shall not commit any offense in violation of federal, state or local law. Defendant shall advise the supervising Pretrial Services Officer and defense Counsel within one business day of any charge, arrest, or contact with law enforcement. Defendant shall not work for the United States government or any federal or state law enforcement agency, unless Defendant first notifies the supervising Pretrial Services Officer in the captioned matter.

Modified Condition (August 27, 2018): Curfew: Defendant shall be restricted to his Grandmother's residence, at all times, every day from 9:00 p.m. to 5:30 a.m.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

Violation #4: Mr. Armstead is alleged to have committed a new state law violation by being arrested for Forgery (RCW 9A.60.020 F) on December 9, 2018.

On July 31, 2018, the conditions of pretrial release supervision were reviewed with Mr. Armstead. He acknowledged an understanding of his conditions, which included standard condition number 1.

The following information was gathered from Spokane Police Department incident report number 2018-20242793.

On December 9, 2018, at approximately 6:35 p.m., an officer with the Spokane Police Department (SPD) was contacted by a loss prevention officer (LPO) at Walmart and advised Mr. Armstead was passing counterfeit money earlier in the day and throughout the week. The LPO contacted the SPD officer again on December 9, 2018, at approximately 8:22 p.m. and advised Mr. Armstead had allegedly just passed two \$10 bills and gave the officer a direction of his travel.

The SPD officer responded immediately and contacted Mr. Armstead outside of a nearby restaurant. He was detained and read his constitutional rights. Mr. Armstead stated he understood and waived his rights. Initially, Mr. Armstead claimed he received the bills from selling a cellular telephone. However, he eventually admitted to passing two of the \$10 bills to the responding officer.

Mr. Armstead consented to a search of his vehicle and allegedly said he had sheets of printed money that he was cutting out and using. He allegedly admitted to making a purchase with fake currency earlier in the day at Walmart and Fred Meyer. Mr. Armstead also allegedly admitted to making other purchases with counterfeit money but could not remember the details.

The LPO provided the SPD officer with the counterfeit money recovered from Walmart from four previous transactions. A search of Mr. Armstead's vehicle revealed a notebook containing several sheets of photocopied United States currency in the forms of \$10 and \$20 bills. The serial numbers on the bills located in Mr. Armstead's car matched three out of four transactions from Walmart. In addition, the SPD officer located a receipt from Fred Meyer and empty packages from a purchase that allegedly occurred at Walmart on December 2, 2018.

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Subsequently, Mr. Armstead was arrested for one count of forgery for the alleged incident involving the two \$10 bills. Available court records indicated Mr. Armstead was scheduled for an initial appearance on the aforementioned forgery charged in Spokane County, Washington, on December 10, 2018, at 1:30 p.m.

Violation #5: Mr. Armstead allegedly failed to return to his residence by 9 p.m. on November 28, 2018.

On July 31, 2018, the conditions of pretrial release supervision were reviewed with Mr. Armstead. He acknowledged an understanding of his conditions, which included a condition that he comply with a curfew.

On August 27, 2018, the Court modified Mr. Armstead's curfew to restrict him to his grandmother's residence from 9 p.m. to 5:30 a.m. On August 31, 2018, Mr. Armstead verbally confirmed his knowledge of his modified curfew to a U.S. probation officer.

On October 22, 2018, the undersigned officer spoke with Mr. Armstead's grandmother. She advised Mr. Armstead would no longer be allowed to reside at her home due to his drug use. Subsequently, Mr. Armstead moved to a friend's home for a few days until he entered an inpatient substance abuse treatment program.

On November 28, 2018, Mr. Armstead successfully completed an inpatient substance abuse treatment program and returned to his friend's home. The undersigned officer spoke with Mr. Armstead about his return to his friend's home and reminded him of his curfew expectations.

On November 28, 2018, at 9:58 p.m., the undersigned officer was notified that Mr. Armstead had failed to return to his residence for his 9 p.m. curfew. The undersigned officer contacted Mr. Armstead using his listed cellular telephone number on November 28, 2018, at 10:03 p.m. Mr. Armstead advised he was at the mother of his children's apartment. The undersigned officer instructed him to return to his residence. Mr. Armstead returned to his approved residence on November 28, 2018, at 10:08 p.m.

PRAYING THAT THE COURT WILL INCORPORATE WITH VIOLATIONS PREVIOUSLY REPORTED TO THE COURT.

I declare under the penalty of perjury
that the foregoing is true and correct.

Executed on: December 10, 2018

by s/Erik Carlson

Erik Carlson
U.S. Pretrial Services Officer

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THE COURT ORDERS

- ☐ No Action
- ☐ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☒ The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- ☐ Defendant to appear before the Judge assigned to the case.
- ☒ Defendant to appear before the Magistrate Judge.
- ☐ Other



Thomas O. Rice

Chief United States District Judge

Signature of Judicial Officer

December 10, 2018

Date